

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2021-153-S**

Application of Palmetto Wastewater  
Reclamation, Incorporated for an  
Adjustment of Rates and Charges

**MOTION FOR CONFIDENTIAL  
TREATMENT**

Applicant, Palmetto Wastewater Reclamation, Inc. (“PWR”) moves for Confidential Treatment in the above-captioned proceeding under S.C. § 30-4-40(a)(1); S.C. Code Ann. § 39-8-10, *et seq.*, and S.C. Code Ann. Regs.103-804(S)(2). Applicant requests confidential treatment by the Public Service Commission (“Commission”) of certain commercially sensitive financial information supporting their request for recovery of rate case expenses filed under seal as Exhibit A to this motion.

**I. Description of Confidential Information**

The documents filed under seal are the supporting invoices for an itemization of the Applicant’s rate case expenses totaling \$195,679.16 that have been audited by the Office of Regulatory Staff (“ORS”). The invoices and payments were made to the accounting firms Burkett, Burkett & Burkett, PricewaterhouseCoopers, LLC, and Walsh Consulting Group, LLC; the law firms Elliott & Elliott, P.A. and Terreni Law Firm, LLC; Applicant’s expert consultant, P. Moul & Associates, and ORS expert consultant, Resolve Utility Consulting PLLC. The expenses exceed the maximum recovery of \$160,000 agreed to in the Partial Stipulation submitted to the Commission by the parties.

## **II. Grounds for Claim of Confidentiality**

Disclosure of the invoices would harm PWR's relationship with its vendors and the Applicant's ability to compete in the procurement of professional services. Applicant and its vendors desire to keep their financial information out of the public realm. Applicant takes considerable effort to maintain the secrecy of the information of this nature. The invoices describe in detail the interactions between Applicant and its attorneys, accountants, and other professionals. The invoices also reveal the hourly rates paid to these professionals, which the Applicant has competitively negotiated. Financial information of this type is not publicly disseminated, and Applicants each take reasonable steps to guard this information internally. When required to submit financial information to public authorities, all such information is stamped "Confidential" and comes with formal requests to maintain the confidentiality of the information and to withhold it from public disclosure. The General Assembly has also recognized the confidential nature of audit records by statutorily exempting them from disclosure by the ORS under S.C. Code Ann. § 58-4-55. Most important, the publicly filed detail shows the payments made to each vendor and whether ORS allowed them as recoverable rate case expenses; therefore, no prejudice will result from granting this request.

### **Conclusion**

The financial information for which confidential treatment is requested is both proprietary and competitively sensitive. Applicant would suffer substantial direct harm if such information is made publicly available. The harm that would result from public disclosure of the financial information is actual and not speculative. Accordingly, the financial information in Exhibit A should be protected from public disclosure by the Commission.

WHEREFORE, Applicants respectfully request the redacted information in Exhibit A to the motion be ruled exempt from public disclosure and provided confidential treatment.

Respectfully submitted,

*s/ Charles L.A. Terreni*

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